

Thomasina E. Jordan Virginia Indian Federal Recognition Act

Summary

The Thomasina E. Jordan Virginia Indian Federal Recognition Act would grant federal recognition to the following six Virginia Indian tribes: the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan, and the Nansemond. These six tribes have state recognition from the Commonwealth, but are still awaiting the federal designation that brings access to federal programs and assistance available to the 565 other federally recognized tribes.

Why Legislation is Necessary

The six tribes have filed petitions with the Interior Department Bureau of Indian Affairs (BIA), but there is little hope BIA will act on their applications because Virginia's tribes have gaps in their records as a result of their long history and discrimination.

Virginia's tribes have treaties dating back to the early 1600s, most notably the Treaty of Middle Plantation in May 1677, but the treaties they signed, which would have provided de facto recognition, were with the Kings of England, in turn leaving Virginia's tribes without formal treaties with the U.S. Government.

The Virginia tribes were subjected to four centuries of racial hostility and brutal state-sanctioned actions. As a result of the Racial Integrity Act of 1924, Virginia Indians were prevented from claiming their Indian heritage and enforcement led to the destruction of birth records, marriage certificates, and land titles of Virginia's tribes.

What Federal Recognition Means

Federal recognition would allow Virginia's tribes legal standing and status in direct relationships with the U.S. government. Further, it would allow tribes to:

- Compete for educational programs and other grants only open to federally recognized tribes;
- Repatriate the remains of their ancestors in a respectful manner. Many of these remains reside in the Smithsonian, but without federal status there is no mandate to return the remains; and
- Provide affordable health care services for many elder tribal members who have been unable to access care.

The legislation explicitly prohibits gaming under the federal Indian gaming Regulatory Act (IGRA).